

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
) CC Docket No. 96-23
Revision of Filing Requirements)

COMMENTS OF BELL ATLANTIC¹

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Bell Atlantic commends the Commission for its efforts to reduce the burdens on the companies it regulates by eliminating, or reducing the filing frequency, of unnecessary reports and forms. The results of this initiative, coupled with the parallel proceeding on Improving Commission Processes, CC Docket No. 96-17, will help enable the Commission to perform its statutory responsibilities quickly and efficiently without unnecessarily burdening the entities it regulates. By adopting the proposals in the Notice,² and those addressed below, the Commission will reduce some of the current administrative burdens without sacrificing any information needed by the Commission staff or the public.³

¹ The Bell Atlantic telephone companies ("Bell Atlantic") are Bell Atlantic-Delaware, Inc.; Bell Atlantic-Maryland, Inc.; Bell Atlantic-New Jersey, Inc.; Bell Atlantic-Pennsylvania, Inc.; Bell Atlantic-Virginia, Inc.; Bell Atlantic-Washington, D.C., Inc.; and Bell Atlantic-West Virginia, Inc.

² *Notice of Proposed Rulemaking*, FCC 96-64 (rel. Feb. 27, 1996) ("Notice").

³ Bell Atlantic has no objection to the Commission's proposals in the Notice to eliminate or reduce the frequency of reports currently filed by entities other than Bell Atlantic.

1. Divestiture-Related Reports⁴

The three reports listed in the Notice were designed to allow the Commission to track transitional activities needed to implement divestiture. In the intervening dozen years, all of the divestiture-related activities have been concluded, and there is no need for the reports. The Commission should eliminate them, as it has proposed.

2. BOC Customer Premises Equipment (CPE) Installation and Maintenance Report; BOC Customer Premises Equipment Affidavits for Non-Discriminatory Provision of Network Maintenance⁵

The Commission established these filing requirements in 1987 as a way to measure whether the then newly-adopted non-structural safeguards that replaced structural separation for provision of CPE were effective in preventing discrimination. The record demonstrates that they are -- the Commission points out that in the eight years since the safeguards became effective, there have been no formal complaints alleging any discrimination, and Bell Atlantic is aware of no informal complaints. The reports have outlived their usefulness and should be eliminated, as proposed.⁶

⁴ Notice at ¶ 3.

⁵ *Id.* at ¶¶ 7-8.

⁶ As shown below, the same analysis justifies elimination of the similar enhanced service installation and maintenance reports.

3. BOC Sales Agency Program and Vendor Support Program Report⁷

As the Commission indicates, these reports are not used by independent CPE vendors or by the Commission staff and are unnecessary. Bell Atlantic has long given unaffiliated vendors meaningful opportunities to sell Bell Atlantic's services along with their CPE through sales agency and other vendor programs, even though Bell Atlantic's own CPE affiliates have not been part of these programs.⁸ The reports are unnecessary and should be eliminated, as proposed.

4. Billing and Collection Contracts⁹

The Commission indicates that its staff and the public seldom use these filings. Moreover, as the Commission points out, billing and collection has become a highly competitive service,¹⁰ and the marketplace is, therefore, fully self-regulating. The Commission should eliminate this unnecessary filing requirement, as it proposes.

5. Report on Inside Wiring Services¹¹

⁷ Notice at ¶ 9.

⁸ Bell Atlantic jointly markets CPE and basic services but does not pay sales commissions to its CPE affiliates.

⁹ Notice at ¶ 10.

¹⁰ *Id.*

¹¹ *Id.* at ¶¶ 13-14.

The Commission currently requires these reports to monitor state inside wiring regulations that might impact federal wiring policy. Large local exchange carriers are required to file copies of state or local statutory or regulatory documents that regulate inside wiring services. None of Bell Atlantic's jurisdictions regulates inside wiring services, so Bell Atlantic has not filed such reports. However, there is no need to retain a formal filing requirement. The Commission can accomplish the same result by simply asking that any adversely affected party bring to its attention any state or local inside wiring statute, regulation or other document that the filing entity believes will interfere with federal wiring policies. In this manner, the Commission will not be burdened by the need to review all state or local regulations that affect inside wiring, regardless of their impact on federal policy, and can address only those regulations that parties feel are inconsistent with the Commission's policies.

6. New Service Tracking Report¹²

The Commission proposes to reduce the frequency of these reports from quarterly to annual.¹³ Bell Atlantic urges that they be eliminated altogether as redundant. The support material accompanying the annual access tariff filing contains the actual demand and revenues for any new services that were offered during the prior year and are entering price caps.¹⁴ These data may be compared with the projections in the tariff filings for those services to compare the demand and revenue projections with the actual results. The New Service Tracking Report,

¹² *Id.* at ¶ 18.

¹³ In fact, these reports are already filed annually.

¹⁴ *See* Transmittal No. 867, Workpapers 8-2 through 8-5 (filed April 2, 1996).

which provides this comparison, therefore duplicates material already on file and should be eliminated.

Other Filings That Should Be Eliminated

Bell Atlantic proposes that the Commission eliminate several other existing reports as unnecessary or redundant:

1. BOC Enhanced Services Installation and Maintenance Report

This report was established in the Computer Inquiry III proceeding¹⁵ for the same purpose as the CPE report, to ensure that the Bell operating companies (and, later, GTE) were not giving their own enhanced services a preference in the installation and maintenance of underlying basic services. As with CPE, not one formal or informal complaint has been filed against Bell Atlantic claiming discrimination, and the reports themselves bear out the lack of any preference for affiliates. Moreover, Bell Atlantic is aware of no complaints nationwide claiming that any company that is subject to Computer III has afforded any such preferences. These detailed enhanced service reports are time-consuming to prepare, taking over 160 hours annually to develop. The non-structural safeguards work, and there is no longer any reason to require these reports. Accordingly, the Commission should eliminate them.

¹⁵ *Amendment to Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry), Report and Order*, 104 F.C.C. 2d 958, 1055-56, ¶ 192 (1986).

2. Redundant ARMIS Reports

Several ARMIS reports duplicate information that is provided elsewhere or has no apparent use. The Commission can eliminate these reports without any reduction in the relevant data available to track the industry.

- ARMIS 43-04

This report provides detailed cost and operating data by jurisdiction (interstate and intrastate) and by study area. The relevant portions of this information, however, also appear in the ARMIS 43-01 and 43-03 Reports. The additional information in the 43-04 report consists of the jurisdictional allocators for these data. The results of the Commission's allocation process, however, have not changed significantly, and are not expected to change significantly, over time. Therefore, the Commission learns no relevant information from the 43-04 Report that is not available in the 43-01 and 43-03 Reports, and the 43-04 Report should be eliminated.

- ARMIS 43-08

This report contains detail on the amount of cable, copper, and fiber in service, by accounting code; radio and other facilities by kilometers; access lines by a variety of subcategories; and cumulative call and minute of use detail. This information appears to have little use, either at the Commission or in the industry, and should no longer be required.

- ARMIS 495A and 495B

These reports provide information on the regulated and non-regulated usage of shared investment, both on an estimated basis for the next three years (495A) and on an actual basis for the past year (495B). These reports are unnecessary, given the other reporting mechanisms that are in place to serve the Commission's needs. Specifically, the Commission requires local exchange carriers' cost allocation manuals ("CAMs") to disclose planned changes to shared network investment. The CAM filings must identify the Part 32 account affected and contain a description of the allocation methodology.¹⁶ The cost allocations must be audited annually by an independent audit firm.¹⁷ The financial results by Part 32 investment account are also reported on the ARMIS 43-03 Joint Cost Report. The audit allows the Commission to monitor individual cost pools, while the ARMIS 43-03 report permits the Commission to review the cost allocation results at the account level. The ARMIS 495A and 495B reports are, therefore, unnecessary to monitor usage of local exchange carriers' investment and should be eliminated.¹⁸

3. ONA Tariff Services Report

This report, submitted semi-annually, contains information on federal and state Open Network Architecture ("ONA") services. The filings include:

¹⁶ *See* 47 C.F.R. § 64.903 (a)(5).

¹⁷ 47 C.F.R. § 64.904 (a).

¹⁸ These reports contain competitively-sensitive information. As a result, data in the reports have historically been filed with requests for confidential treatment.

- Consolidated nationwide matrix of Bell operating company ONA services, both federal and state.
- Computer disks and paper printouts of tariff references to BOC federal and state ONA services.
- Computer disk and paper printouts of the BOCs' ONA Services Users Guide.
- Updated paper copy of Appendix A of the BOCs' ONA cross-reference guide showing new basic service requests from enhanced service providers.
- Updated paper copy of Appendix B of the BOCs' ONA cross-reference guide showing the disposition of each pending basic service request.

Bell Atlantic proposes that the Commission eliminate the paper filings. These filings are hundreds of pages long and appear to be used rarely by either the Commission staff or outside parties. The Technical Analysis Group would continue to update the ONA Services User Guide and make it available, on request, through the Information Industry Liaison Committee ("IILC") and the BOCs. Each BOC would also submit a copy of the User Guide on diskette as part of the annual ONA amendment but would not furnish a paper copy. The IILC would continue to maintain the Appendix A and B material and provide it on request. This proposal provides the Commission with ONA services information while eliminating the current obligation of each BOC to provide hundreds of pages of identical paper documents.

4. Service Interval Notification

The Commission currently requires Price Cap LECs to report increases in service intervals to the Common Carrier Bureau's Accounting and Audits Division at least thirty days in

advance.¹⁹ In a competitive environment, however, the intervals between ordering and provision of service to the customer should be a selling point of service and, often, subject to negotiation between the carrier and the customer. There is no need for regulation, or advance notice, of interval changes, and the notification obligation should be stricken.

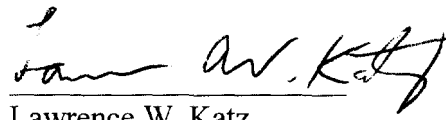
Conclusion

Reduction of regulatory burdens is appropriately a high Commission priority. The Commission's proposed filing requirement reductions, augmented by the changes proposed above, will help this effort and should be adopted.

Respectfully Submitted,

**The Bell Atlantic Telephone
Companies**

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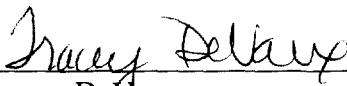
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April 8, 1996

¹⁹ *Adjustments to Price Cap Carriers' Service Quality and Infrastructure Reports in ARMIS, Public Notice*, 7 FCC Rcd 3590 (1992).

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of April, 1996 a copy of the foregoing "Comments of Bell Atlantic" was sent via first class mail, postage prepaid, to the parties on the attached list.



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